

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

**No. 373**

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**Introduced by Assembly Member Garrick**

February 14, 2011

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~~An act to amend Section 11320.15 of the Welfare and Institutions Code, relating to public social services. An act to amend Sections 11265.2, 11266.5, 11320.15, 11320.2, and 17021 of, and to repeal and amend Sections 11327.5 and 11454 of, the Welfare and Institutions Code, relating to public social services.~~

### LEGISLATIVE COUNSEL'S DIGEST

AB 373, as amended, Garrick. CalWORKs: time limits for aid.

*Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program for the allocation of federal funds received through the TANF program, under which each county provides cash assistance and other benefits to qualified low-income families. Existing law provides that a parent or caretaker relative shall not be eligible for CalWORKs aid when he or she has received aid for a cumulative total of 60 months. Existing law excludes months in which certain conditions exist from being counted as a month of receipt of aid for these purposes.*

*This bill would revise the requirements for providing aid under the CalWORKs program by replacing the existing time limits on receipt of aid with a 24-month limit, operative 90 days after the effective date of the bill. The bill would make various conforming changes related to the shortened time limit for aid.*

~~Existing law requires each county to provide cash assistance and other social services to needy families through the California Work Opportunity and Responsibility to Kids (CalWORKs) program using federal Temporary Assistance to Needy Families (TANF) block grant program, state, and county funds. Existing law, with certain exceptions, requires removal of a CalWORKs participant after he or she has received aid for a total of 60 months from the assistance unit for the purpose of calculation of aid.~~

~~This bill would make technical, nonsubstantive changes to a provision relating to CalWORKs aid time limits.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 11265.2 of the Welfare and Institutions  
2     Code is amended to read:

3     11265.2. (a) The grant amount a recipient shall be entitled to  
4     receive for each month of the quarterly reporting period shall be  
5     prospectively determined as provided by this section. If a recipient  
6     reports that he or she does not anticipate any changes in income  
7     during the upcoming quarter, compared to the income the recipient  
8     reported actually receiving on the quarterly report form, the grant  
9     shall be calculated using the actual income received. If a recipient  
10    reports that he or she anticipates a change in income in one or more  
11    months of the upcoming quarter, the county shall determine  
12    whether the recipient's income is reasonably anticipated. The grant  
13    shall be calculated using the income that the county determines is  
14    reasonably anticipated in each of the three months of the upcoming  
15    quarter.

16    (b) For the purposes of the quarterly reporting, prospective  
17    budgeting system, income shall be considered to be "reasonably  
18    anticipated" if the county is reasonably certain of the amount of  
19    income and that the income will be received during the quarterly  
20    reporting period. The county shall determine what income is  
21    "reasonably anticipated" based on information provided by the  
22    recipient and any other available information.

23    (c) If a recipient reports that their income in the upcoming  
24    quarter will be different each month and the county needs  
25    additional information to determine a recipient's reasonably

1 anticipated income for the following quarter, the county may  
2 require the recipient to provide information about income for each  
3 month of the prior quarter.

4 (d) Grant calculations pursuant to subdivision (a) may not be  
5 revised to adjust the grant amount during the quarterly reporting  
6 period, except as provided in Section 11265.3 and subdivisions  
7 (e), (f), (g), and (h), and as otherwise established by the department.

8 (e) Notwithstanding subdivision (d), statutes and regulations  
9 relating to (1) the ~~60-month~~ 24-month time limit, (2) age limitations  
10 for children under Section 11253, and (3) sanctions and financial  
11 penalties affecting eligibility or grant amount shall be applicable  
12 as provided in such statutes and regulations. Eligibility and grant  
13 amount shall be adjusted during the quarterly reporting period  
14 pursuant to such statutes and regulations effective with the first  
15 monthly grant after timely and adequate notice is provided.

16 (f) Notwithstanding Section 11056, if an applicant applies for  
17 assistance for a child who is currently aided in another assistance  
18 unit, and the county determines that the applicant has care and  
19 control of the child, as specified by the department, and is  
20 otherwise eligible, the county shall discontinue aid to the child in  
21 the existing assistance unit and shall aid the child in the applicant's  
22 assistance unit effective as of the first of the month following the  
23 discontinuance of the child from the existing assistance unit.

24 (g) If the county is notified that a child for whom CalWORKs  
25 assistance is currently being paid has been placed in a foster care  
26 home, the county shall discontinue aid to the child at the end of  
27 the month of placement. The county shall discontinue the case if  
28 the remaining assistance unit members are not otherwise eligible.

29 (h) If the county determines that a recipient is no longer a  
30 California resident, pursuant to Section 11100, the recipient shall  
31 be discontinued. The county shall discontinue the case if the  
32 remaining assistance unit members are not otherwise eligible.

33 *SEC. 2. Section 11266.5 of the Welfare and Institutions Code*  
34 *is amended to read:*

35 11266.5. (a) Every applicant for aid under this chapter shall  
36 be informed of the availability of lump-sum diversion services to  
37 resolve the circumstances that require the family to apply for  
38 assistance prior to the family's approval for aid.

39 (b) When an applicant is determined to be eligible for assistance  
40 under this chapter, the county shall assess whether the applicant

1 would benefit from the lump-sum diversion program. The county  
2 shall make this determination in its sole discretion. In making this  
3 determination, the county shall consider whether the applicant is  
4 likely to be able to avoid the need for extended assistance beyond  
5 the diversion period if the family was provided one-time assistance.  
6 In making this determination, the county may consider any of the  
7 following:

8 (1) The applicant's employment history.

9 (2) The likelihood of the applicant obtaining immediate full-time  
10 employment.

11 (3) The applicant's general prospect for obtaining full-time  
12 employment.

13 (4) The applicant's need for cash assistance to pay for housing  
14 or substantial and unforeseen expenses or work-related expenses.

15 (5) Housing stability.

16 (6) The adequacy of the applicant's child care arrangements, if  
17 applicable.

18 (c) If the county determines, pursuant to subdivision (b), that  
19 an applicant could benefit from a lump-sum diversion payment,  
20 the county shall inform the applicant of its determination.

21 (d) An applicant for aid under this chapter may either participate  
22 in the lump-sum diversion program or decline participation in  
23 diversion and, instead, receive aid as otherwise provided for in  
24 this chapter.

25 (e) Lump-sum diversion services provided under this section  
26 may include any cash or noncash payment and shall be negotiated  
27 by the county and the applicant in order to assist the applicant in  
28 avoiding the need for aid under this chapter.

29 (f) If, after accepting a diversion payment pursuant to this  
30 section, the individual reapplies for aid under this chapter within  
31 the amount of time that corresponds with the number of months  
32 of aid that would have been received under this chapter that was  
33 received as a diversion payment, excluding a partial month, and  
34 he or she is determined to be eligible for aid, the county shall, at  
35 the option of the recipient, either recoup from the recipient's grant,  
36 over a period of time to be determined by the county, the amount  
37 of the diversion payment that the recipient received, or count the  
38 period of time that corresponds to the number of months of aid  
39 that would have been received, excluding a partial month of aid,

1 towards the ~~60-month~~ 24-month time limit on aid specified in  
2 subdivision ~~(b)~~ (a) of Section 11454.

3 (g) To the extent permitted by federal law, lump-sum diversion  
4 payments shall not be considered income for the purpose of  
5 determining eligibility for food stamps CalFresh benefits.

6 (h) Any child support collected by the applicant or recovered  
7 by the county shall not be used to offset the diversion payment.

8 (i) During the period of the diversion, the applicant family shall  
9 be eligible for Medi-Cal and child care assistance pursuant to  
10 Article 15.5 (commencing with Section 8350) of Chapter 2 of Part  
11 6 of the Education Code, if otherwise eligible.

12 *SEC. 3. Section 11320.15 of the Welfare and Institutions Code*  
13 *is amended to read:*

14 11320.15. After a participant has received aid for a total of ~~60~~  
15 ~~months~~ 24 months, pursuant to Section 11454, he or she shall be  
16 removed from the assistance unit for the purposes of calculation  
17 of aid under Section 11450 and he or she shall no longer be  
18 required to participate in welfare-to-work activities. Additional  
19 welfare-to-work services may be provided to the recipient, at the  
20 option of the county. If the county provides services to the recipient  
21 after the ~~60-month~~ 24-month limit has been reached, the recipient  
22 shall participate in community service.

23 *SEC. 4. Section 11320.2 of the Welfare and Institutions Code*  
24 *is amended to read:*

25 11320.2. (a) Commencing July 1, 2011, subject to subdivision  
26 (g), the county shall conduct self-sufficiency reviews with all aided  
27 caretaker relatives and the adult caretaker or minor parent  
28 head-of-household in child-only cases, except for individuals who  
29 are exempt from welfare-to-work activities pursuant to Section  
30 11320.3. Reviews shall be conducted every six months, except as  
31 otherwise provided in this subdivision. For an assistance unit  
32 determined to be eligible under this chapter on or after July 1,  
33 2011, reviews shall be conducted at the end of the assistance unit's  
34 second and fourth quarterly reporting periods. The review at the  
35 fourth quarterly reporting period shall be conducted with the annual  
36 redetermination, on the same day and in the same location. The  
37 notice, scheduling, and accommodation requirements used for the  
38 annual redetermination shall be utilized uniformly for the  
39 self-sufficiency reviews. For an assistance unit determined to be  
40 eligible under this chapter prior to July 1, 2011, reviews shall be

1 conducted starting at the end of each assistance unit's second  
2 quarterly reporting period and with the next regularly scheduled  
3 redetermination, and then annually thereafter.

4 (b) The county shall provide notification to individuals for whom  
5 a review has been scheduled, not less than 60 calendar days prior  
6 to the appointment, and provide for a process for rescheduling, if  
7 necessary, on a date not to exceed 20 calendar days beyond the  
8 scheduled review.

9 (c) Self-sufficiency reviews shall be conducted by a county  
10 social worker or employment services worker.

11 (d) The purposes of the self-sufficiency review are to determine  
12 barriers to participation, including those that may establish the  
13 basis for an exemption, to assess needed services and resources,  
14 and to provide tools to connect the recipient with the needed  
15 services and activities in order to increase his or her work or  
16 community service participation pursuant to Section 11320.

17 (e) (1) If the recipient fails to attend the review, the county  
18 shall provide the recipient with a notice that the county shall reduce  
19 the recipient's benefits by 50 percent after 30 calendar days, unless  
20 the participant has complied or provided good cause. Prior to  
21 reducing benefits by 50 percent, the county shall attempt to make  
22 personal contact, consistent with current practice as exercised for  
23 the annual redetermination, to remind the recipient that attending  
24 the self-sufficiency review is required, or, if contact is not made,  
25 shall send a reminder notice to the recipient no later than five days  
26 prior to the end of the 30-calendar day period. The county may  
27 determine at any time prior to reducing benefits by 50 percent for  
28 failure to attend the self-sufficiency review, or after the sanction  
29 has been imposed, that a recipient had good cause for failing to  
30 attend the self-sufficiency review. A notice regarding a 50-percent  
31 reduction in benefits shall be rescinded when the self-sufficiency  
32 review is completed.

33 (2) If the participant is found to not comply with the requirement  
34 to attend the self-sufficiency review, the benefits shall be reduced  
35 by 50 percent.

36 (3) The county may determine, at any time prior to the end of  
37 the 30-calendar day period following the reduction of benefits by  
38 50 percent for failure to attend the self-sufficiency review, or after  
39 the sanction has been imposed, that a recipient had good cause for  
40 failing to attend the review. If the county finds a recipient had

1 good cause, it shall rescind the reduction in benefits notice. Good  
2 cause exists only when the recipient cannot reasonably be expected  
3 to fulfill his or her responsibilities, due to factors beyond the  
4 recipient's control.

5 (f) Not later than January 1, 2013, the county shall provide the  
6 department with an evaluation of the implementation of the  
7 self-sufficiency reviews that addresses the effectiveness of the  
8 reviews in meeting the goals stated in subdivision (d). Upon receipt  
9 of all of the county evaluations, the department shall forward the  
10 evaluations to the relevant fiscal and policy committees of the  
11 Legislature for review.

12 (g) An aided adult who is fully meeting the hours of participation  
13 required of CalWORKs recipients under applicable state law shall  
14 not be subject to self-sufficiency reviews.

15 (h) A review conducted in accordance with this section that  
16 occurs at either the ~~42nd or 54th~~ 18th month of aid pursuant to  
17 Section 11454 shall include all of the components specified in  
18 subdivision (a), and shall also include information and a warning  
19 to the individual regarding the upcoming consequences of reaching  
20 the ~~48-month or 60-month time limits~~ 24-month time limit,  
21 depending on the specific circumstances of the case. The review  
22 shall occur six months before the applicable time limit. However,  
23 if a recipient returns to aided status when fewer than six months  
24 remain before the ~~60-month~~ time limit, he or she shall receive a  
25 review under this section within a reasonable time prior to the ~~60th~~  
26 24th month, as determined by the county.

27 ~~(i) This section shall become operative on July 1, 2011.~~

28 *SEC. 5. Section 11327.5 of the Welfare and Institutions Code,*  
29 *as amended by Section 2 of Chapter 8 of the Fourth Extraordinary*  
30 *Session of the Statutes of 2009, is repealed.*

31 ~~11327.5. (a) Sanctions shall be imposed in accordance with~~  
32 ~~subdivision (b) or (c), as appropriate, if an individual has failed or~~  
33 ~~refused to comply with program requirements without good cause~~  
34 ~~and conciliation efforts, as described in Section 11327.4, have~~  
35 ~~failed.~~

36 ~~(b) The sanctions provided for in subdivisions (c) and (d) shall~~  
37 ~~not apply to an individual who is exempt from the requirements~~  
38 ~~of this article but is voluntarily participating in the program. If that~~  
39 ~~individual engages in conduct that would bring about the actions~~  
40 ~~provided for in subdivisions (c) and (d), except for his or her status~~

1 as a voluntary program participant, the individual shall not be  
2 given priority so long as other individuals are actively seeking to  
3 participate.

4 (e) Financial sanctions for failing or refusing to comply with  
5 program requirements without good cause shall cause a reduction  
6 in the family's grant by removing the noncomplying family  
7 member from the assistance unit for a period of time specified in  
8 subdivision (d).

9 (1) For families that qualify for aid due to unemployment of the  
10 family's primary wage earner, the sanctioned parent shall be  
11 removed from the assistance unit. Unless the spouse or the family's  
12 second parent meets the provisions of subparagraph (A) of  
13 paragraph (2), if the sanctioned parent's spouse or the family's  
14 second parent is not participating in the program, both the  
15 sanctioned parent and the spouse or second parent shall be removed  
16 from the assistance unit. The county shall notify the spouse of the  
17 noncomplying participant or second parent in writing at the  
18 commencement of conciliation of his or her own opportunity to  
19 participate and the impact on sanctions of that participation.

20 (2) (A) Except as provided in subparagraph (B), exemption  
21 criteria specified in Section 11320.3, conciliation specified in  
22 Section 11327.4, and good cause criteria specified in Section  
23 11320.31 and subdivision (f) of Section 11320.3 shall apply to the  
24 sanctioned parent's spouse or the family's second parent.

25 (B) Exemption criteria specified in paragraphs (5) and (6) of  
26 subdivision (b) of Section 11320.3 do not apply to a spouse or  
27 second parent who is participating to avoid the sanction of the  
28 noncomplying parent.

29 (C) If the sanctioned parent's spouse or the family's second  
30 parent chooses to participate to avoid the noncomplying parent's  
31 sanction, subsequently fails or refuses to participate without good  
32 cause, and does not conciliate, he or she shall be removed from  
33 the assistance unit for a period of time specified in subdivision  
34 (d).

35 (D) If the sanctioned parent's spouse or the family's second  
36 parent is under his or her own sanction at the time of the first  
37 parent's sanction, the spouse or second parent shall not be provided  
38 the opportunity to avoid the first parent's sanction until the spouse  
39 or second parent's sanction is completed.



1     ~~(3) For families that qualify due to the absence or incapacity of~~  
2     ~~a parent, only the noncomplying parent shall be removed from the~~  
3     ~~assistance unit.~~

4     ~~(4) If the noncomplying individual is the only dependent child~~  
5     ~~in the family, his or her needs shall not be taken into account in~~  
6     ~~determining the family's need for assistance and the amount of~~  
7     ~~the assistance payment.~~

8     ~~(5) If the noncomplying individual is one of several dependent~~  
9     ~~children in the family, his or her needs shall not be taken into~~  
10    ~~account in determining the family's need for assistance and the~~  
11    ~~amount of the assistance payment.~~

12    ~~(d) An instance of noncompliance without good cause shall~~  
13    ~~result in a financial sanction. This sanction shall terminate at any~~  
14    ~~point if the noncomplying participant performs the activity or~~  
15    ~~activities he or she previously refused to perform.~~

16    ~~(e) Sanctions shall become effective on the first day of the first~~  
17    ~~payment month that the sanctioned individual's needs are removed~~  
18    ~~from aid under this chapter.~~

19    ~~(f) In the event this section conflicts with federal law, the~~  
20    ~~department shall adopt regulations to conform to federal law.~~

21    ~~(g) This section shall remain in effect only until July 1, 2011,~~  
22    ~~and as of that date is repealed.~~

23    ~~SEC. 6. Section 11327.5 of the Welfare and Institutions Code,~~  
24    ~~as added by Section 3 of Chapter 8 of the Fourth Extraordinary~~  
25    ~~Session of the Statutes of 2009, is amended to read:~~

26    11327.5. (a) Sanctions shall be imposed in accordance with  
27    subdivision (b) or (c), as appropriate, if an individual has failed or  
28    refused to comply with program requirements without good cause  
29    and conciliation efforts, as described in Section 11327.4, have  
30    failed.

31    (b) The sanctions provided for in subdivisions (c) and (d) shall  
32    not apply to an individual who is exempt from the requirements  
33    of this article but is voluntarily participating in the program. If that  
34    individual engages in conduct that would bring about the actions  
35    provided for in subdivisions (c) and (d), except for his or her status  
36    as a voluntary program participant, the individual shall not be  
37    given priority so long as other individuals are actively seeking to  
38    participate.

1 (c) Financial sanctions for failing or refusing to comply with  
2 program requirements without good cause shall cause a reduction  
3 in the family's grant, in accordance with subdivision (d).

4 (1) For families that qualify for aid due to unemployment of the  
5 family's primary wage earner, the sanctioned parent shall be  
6 removed from the assistance unit. Unless the spouse or the family's  
7 second parent meets the provisions of subparagraph (A) of  
8 paragraph (2), if the sanctioned parent's spouse or the family's  
9 second parent is not participating in the program, both the  
10 sanctioned parent and the spouse or second parent shall be removed  
11 from the assistance unit. The county shall notify the spouse of the  
12 noncomplying participant or second parent in writing at the  
13 commencement of conciliation of his or her own opportunity to  
14 participate and the impact on sanctions of that participation.

15 (2) (A) Except as provided in subparagraph (B), exemption  
16 criteria specified in Section 11320.3, conciliation specified in  
17 Section 11327.4, and good cause criteria specified in Section  
18 11320.31 and subdivision (f) of Section 11320.3 shall apply to the  
19 sanctioned parent's spouse or the family's second parent.

20 (B) Exemption criteria specified in paragraphs (5) and (6) of  
21 subdivision (b) of Section 11320.3 do not apply to a spouse or  
22 second parent who is participating to avoid the sanction of the  
23 noncomplying parent.

24 (C) If the sanctioned parent's spouse or the family's second  
25 parent chooses to participate to avoid the noncomplying parent's  
26 sanction, subsequently fails or refuses to participate without good  
27 cause, and does not conciliate, he or she shall be removed from  
28 the assistance unit for a period of time specified in subdivision  
29 (d).

30 (D) If the sanctioned parent's spouse or the family's second  
31 parent is under his or her own sanction at the time of the first  
32 parent's sanction, the spouse or second parent shall not be provided  
33 the opportunity to avoid the first parent's sanction until the spouse  
34 or second parent's sanction is completed.

35 (3) For families that qualify due to the absence or incapacity of  
36 a parent, only the noncomplying parent shall be removed from the  
37 assistance unit.

38 (4) If the noncomplying individual is the only dependent child  
39 in the family, his or her needs shall not be taken into account in

1 determining the family's need for assistance and the amount of  
2 the assistance payment.

3 (5) If the noncomplying individual is one of several dependent  
4 children in the family, his or her needs shall not be taken into  
5 account in determining the family's need for assistance and the  
6 amount of the assistance payment.

7 (d) (1) An instance of noncompliance without good cause shall  
8 result in a financial sanction, consisting of removing the  
9 noncomplying family member from the assistance unit, after the  
10 noncompliance persists for three cumulative months. The  
11 conciliation process described in Section 11327.4 shall occur  
12 during the first 30 days of this three-month period. A sanction  
13 under this section shall terminate at any point if the noncomplying  
14 participant performs the activity or activities he or she previously  
15 refused to perform.

16 (2) (A) If the instance of noncompliance persists for three  
17 cumulative months, the county shall review and assess the  
18 circumstances of the noncomplying individual in order to determine  
19 and identify potential barriers to participation, assess the need for  
20 services or resources, and provide tools to connect the individual  
21 with services and activities. The review and assessment shall be  
22 conducted by a social worker or employment services worker. The  
23 county shall make a good faith effort to remediate any barriers that  
24 are identified. If barriers relating to substance abuse, mental health,  
25 or domestic violence are suspected, the county shall schedule  
26 assessments with an employment specialist or social worker for  
27 the individual in order to assess and review for treatment. This  
28 review shall occur within 30 days after the grant reduction made  
29 pursuant to paragraph (1).

30 (B) If the county fails to conduct a review or remediate any  
31 issues pursuant to this paragraph, or if the county determines that  
32 the individual is in compliance pursuant to paragraph (1), or is  
33 exempt from welfare-to-work requirements, the sanction shall  
34 terminate. If failure to conduct a review or remediate an issue is  
35 the result of the recipient's noncompliance, the sanction shall  
36 continue.

37 (3) (A) If the instance of noncompliance persists for an  
38 additional three cumulative months after a grant reduction is made  
39 pursuant to paragraph (1), the grant shall be decreased by an

1 amount equal to 25 percent of the child-only grant, which already  
2 reflects the removal of the parent.

3 (B) If the instance of noncompliance persists for an additional  
4 three cumulative months after the family's grant is reduced under  
5 subparagraph (A), a second review and assessment shall be  
6 conducted in accordance with the requirements of paragraph (2).  
7 The second review and assessment shall be conducted within 30  
8 days of the most recent grant reduction pursuant to subparagraph  
9 (A). After the review and assessment conducted under this  
10 paragraph, if the instance of noncompliance persists for an  
11 additional three cumulative months after the most recent reduction,  
12 the family's aid grant shall be decreased by an amount equal to 50  
13 percent of the child-only grant level that existed prior to the  
14 25-percent reduction.

15 (C) At any time, if the noncomplying member is determined to  
16 be exempt, or comes into compliance with applicable CalWORKs  
17 work requirements, the sanction shall terminate and the full aid  
18 grant amount shall be restored.

19 (4) (A) With respect to an assistance unit from which the adult's  
20 share of the grant has been terminated due to the expiration of the  
21 60-month period provided for pursuant to Section 11454, the  
22 county shall impose the sanctions provided for in this section only  
23 if the county makes available to the adult necessary child care  
24 services, and all applicable exemptions. If the Legislature has made  
25 a specific appropriation for transportation services for families  
26 who have exceeded the ~~60-month~~ *24-month* time limit and the  
27 county has not made this service available to the adult, as  
28 necessary, a sanction shall not be imposed. These cases shall  
29 receive a review pursuant to subdivision (g) of Section 11320.2 at  
30 the ~~42nd or 54th~~ *18th* month of aid in preparation for this  
31 assessment by the county, including reviewing possible exemptions  
32 and discussing possible grant reductions if the family is not in  
33 compliance after the ~~60~~ *24* months with the state participation  
34 requirements, as determined by the county. The individual shall  
35 receive notice of the review, which shall include informing the  
36 individual of the risk of having the grant further reduced by 25  
37 percent if the parent does not comply with CalWORKs  
38 requirements after the ~~48th or 60th~~ *24th* month on aid, as well as  
39 opportunities to come into compliance and services that may be  
40 available from the county.

1 (B) If the county determines after the ~~48th or 60th~~ *24th* month  
2 on aid that the adult is not in compliance and does not otherwise  
3 meet exemption criteria, such as SSI eligibility or being an elderly  
4 caregiver, and the service requirements of the county as specified  
5 in subparagraph (A) have been met, then the aid grant shall be  
6 decreased by an amount equal to 25 percent of the child-only  
7 portion of the grant, thus resulting in a grant level equal to 75  
8 percent of the child-only grant level in the ~~47th or 59th~~ *23rd* month,  
9 or the month prior to entering the safety net. Review and  
10 assessment pursuant to paragraph (2) shall be scheduled with the  
11 adult in this assistance unit at this time.

12 (C) If the noncompliance persists for three cumulative months  
13 after the grant reduction pursuant to subparagraph (B) the review  
14 and assessment conducted pursuant to paragraph (2), and the county  
15 has met the service requirements specified in subparagraph (A),  
16 then the aid grant shall be decreased by an amount equal to 50  
17 percent of the child-only aid grant thus resulting in a grant level  
18 equal to 50 percent of the child-only grant level in the ~~47th or 59th~~  
19 *23rd* month, or the month prior to entering the safety net.

20 (D) At any time, if the noncomplying member is determined to  
21 be exempt from welfare-to-work activities, or comes into  
22 compliance with applicable CalWORKs work requirements, the  
23 sanction shall terminate and the full aid grant amount shall be  
24 restored.

25 (5) (A) After ~~60~~ *24* full months of aid, with respect to an  
26 assistance unit for which there is no adult share due to the adult  
27 being (i) not lawfully present in the United States, (ii) a person  
28 described by Section 608(a)(9)(A) of Title 42 of the United States  
29 Code, or (iii) convicted of any offense classified as a felony by  
30 the law of the jurisdiction involved and that has as an element of  
31 the possession, use, or distribution of a controlled substance, as  
32 defined in Section 802(6) of Title 21 of the United States Code,  
33 the county shall apply the sanction provisions contained in  
34 subparagraph (B) to the assistance unit allowing for all applicable  
35 exemptions. If the county makes available to the adult, at county  
36 expense or pursuant to a specific General Fund appropriation,  
37 necessary supportive services of child care and transportation, in  
38 addition to community service opportunities, and the family is in  
39 compliance with work requirements the family shall receive the  
40 full child-only grant. These cases shall receive a self-sufficiency

1 review pursuant to subdivision ~~(g)~~ (h) of Section 11320.2 at the  
2 ~~54th~~ 18th month of aid, in preparation for this assessment by the  
3 county, including reviewing possible exemptions, and discussing  
4 possible grant reductions if the family is not in compliance with  
5 the state participation requirements after ~~60~~ 24 months, as  
6 determined by the county.

7 (B) If the county determines after the ~~60~~ 24 months of aid that  
8 the adult does not otherwise meet exemption criteria, including  
9 those that acknowledge the adult's inability to work, such as SSI  
10 eligibility or being an elderly caregiver, and the service  
11 requirements of the county as specified in subparagraph (A) have  
12 been met, then the aid grant shall be decreased by an amount equal  
13 to 25 percent of the child-only portion of the grant amount, thus  
14 resulting in a grant level equal to 75 percent of the child-only grant  
15 level in the ~~59th~~ 23rd month or the month prior to entering the  
16 safety net. Review and assessment pursuant to paragraph (2) shall  
17 be scheduled with the adult in this assistance unit at this time.

18 (C) If the noncompliance persists for three cumulative months  
19 after the review and assessment conducted pursuant to paragraph  
20 (2), and the service requirements of the county as specified in  
21 subparagraph (A) have been met, the family's aid grant shall be  
22 decreased to an amount equal to 50 percent of the child-only  
23 portion of the grant amount, thus resulting in a grant level equal  
24 to 50 percent of the child-only grant level in the ~~59th~~ 23rd month  
25 prior to entering the safety net.

26 (D) At any time, if the noncomplying member is determined to  
27 be exempt from welfare-to-work activities, or comes into  
28 compliance with applicable CalWORKs work requirements, the  
29 sanction shall terminate and the full aid grant amount shall be  
30 restored.

31 (e) Sanctions shall become effective on the first day of the first  
32 payment-month that the sanctioned individual's needs are removed  
33 or further reductions are made to aid under this chapter.

34 (f) The additional monetary sanctions imposed in subdivision  
35 (d) shall not apply if the only sanctioned individual in the family  
36 is a dependent child.

37 (g) The county shall send individuals subject to sanction a notice  
38 by the end of their second cumulative month on sanction, and a  
39 notice by the end of their fifth cumulative month on sanction,

1 reminding them that their aid will further decrease if the sanction  
2 is not cured by the end of the third or sixth month, respectively.

3 (h) In addition to the notice required pursuant to subdivision  
4 (d), counties shall attempt to contact the noncompliant individual  
5 prior to imposing a sanction reducing the family's aid. This contact  
6 may be achieved through telephone calls, letters, home visits, or  
7 some combination of these methods.

8 (i) The review and assessment described in paragraph (2) of  
9 subdivision (d) shall be deemed to satisfy the requirements for a  
10 self-sufficiency review pursuant to Section 11320.2 if the review  
11 and assessment occurs within the same month that a  
12 self-sufficiency review under Section 11320.2 would have been  
13 scheduled. If failure to conduct the review or assessment is the  
14 result of the recipient's noncompliance, the sanction or further  
15 reduction shall become effective under this chapter.

16 (j) Any review or assessment required under this section may  
17 be conducted through face-to-face meetings or home visits.

18 ~~(k) This section shall become operative on July 1, 2011.~~

19 *SEC. 7. Section 11454 of the Welfare and Institutions Code,*  
20 *as amended by Section 5 of Chapter 8 of the Fourth Extraordinary*  
21 *Session of the Statutes of 2009, is repealed.*

22 ~~11454. (a) A parent or caretaker relative shall not be eligible~~  
23 ~~for aid under this chapter when he or she has received aid under~~  
24 ~~this chapter or from any state under the Temporary Assistance for~~  
25 ~~Needy Families program (Part A (commencing with Section 401)~~  
26 ~~of Title IV of the federal Social Security Act (42 U.S.C. Sec. 601~~  
27 ~~et seq.) for a cumulative total of 60 months.~~

28 ~~(b) No month in which aid has been received prior to January~~  
29 ~~1, 1998, shall be taken into consideration in computing the~~  
30 ~~60-month limitation provided for in subdivision (a).~~

31 ~~(c) Subdivision (a) shall not be applicable when all parent or~~  
32 ~~caretaker relatives of the aided child who are living in the home~~  
33 ~~of the child meet any of the following requirements:~~

34 ~~(1) They are 60 years of age or older.~~

35 ~~(2) They meet one of the conditions specified in paragraph (4)~~  
36 ~~or (5) of subdivision (b) of Section 11320.3.~~

37 ~~(3) They are not included in the assistance unit.~~

38 ~~(4) They are receiving benefits under Section 12200 or Section~~  
39 ~~12300, State Disability Insurance benefits or Workers'~~  
40 ~~Compensation Temporary Disability Insurance, if the disability~~

1 significantly impairs the recipient's ability to be regularly employed  
2 or participate in welfare-to-work activities.

3 ~~(5) They are incapable of maintaining employment or~~  
4 ~~participating in welfare-to-work activities, as determined by the~~  
5 ~~county, based on the assessment of the individual and the individual~~  
6 ~~has a history of participation and full cooperation in~~  
7 ~~welfare-to-work activities.~~

8 ~~(d) This section shall remain in effect only until July 1, 2011,~~  
9 ~~and as of that date is repealed.~~

10 SEC. 8. *Section 11454 of the Welfare and Institutions Code,*  
11 *as added by Section 6 of Chapter 8 of the Fourth Extraordinary*  
12 *Session of the Statutes of 2009, is amended to read:*

13 11454. (a) A parent or caretaker relative shall not be eligible  
14 for aid under this chapter when he or she has received aid under  
15 this chapter or from any state under the Temporary Assistance for  
16 Needy Families program (Part A (commencing with Section 401)  
17 of Title IV of the federal Social Security Act (42 U.S.C. Sec. 601  
18 et seq.) for a cumulative total of ~~60~~ 24 months.

19 (b) No month in which aid has been received prior to January  
20 1, 1998, shall be taken into consideration in computing the  
21 ~~60-month~~ 24-month limitation provided for in subdivision (a), ~~or~~  
22 ~~the 48-month limitation provided for in subdivision (e).~~

23 (c) Subdivision (a) shall not be applicable when all parent or  
24 caretaker relatives of the aided child who are living in the home  
25 of the child meet any of the following requirements:

26 (1) They are 60 years of age or older.

27 (2) They meet one of the conditions specified in paragraph (4)  
28 or (5) of subdivision (b) of Section 11320.3.

29 (3) They are not included in the assistance unit.

30 (4) They are receiving benefits under Section 12200 or Section  
31 12300, State Disability Insurance benefits or Workers'  
32 Compensation Temporary Disability Insurance, if the disability  
33 significantly impairs the recipient's ability to be regularly employed  
34 or participate in welfare-to-work activities.

35 (5) They are incapable of maintaining employment or  
36 participating in welfare-to-work activities, as determined by the  
37 county, based on the assessment of the individual and the individual  
38 has a history of participation and full cooperation in  
39 welfare-to-work activities.



(d) A month in which an individual is under sanction for noncompliance pursuant to Section 11327.5 shall be taken into consideration in computing the ~~60-month~~ 24-month time limit on receipt of cash assistance pursuant to subdivision (a), but shall not be counted for purposes of the receipt of welfare-to-work services pursuant to Section 11320.

~~(e) The 60-month benefit limit provided for in subdivision (a) shall apply, except that aid may not be received for more than 48 cumulative months in any 60-month period. The adult may return to the assistance unit 12 months after receiving aid for the 48 cumulative months. In the absence of a sanction pursuant to Section 11327.5, the full grant shall be restored at the time the adult returns to the assistance unit.~~

~~(f) This section shall become operative on July 1, 2011.~~

~~(g)~~

(e) Counties shall notify families of the reduction in time limitations specified in this section, within a reasonable time following the effective date of this section.

*SEC. 9. Section 17021 of the Welfare and Institutions Code is amended to read:*

17021. (a) Any individual who is not eligible for aid under Chapter 2 (commencing with Section 11200) of Part 3 as a result of the ~~60-month~~ 24-month limitation specified in subdivision (a) of Section 11454 shall not be eligible for aid or assistance under this part until all of the children of the individual on whose behalf aid was received, whether or not currently living in the home with the individual, are 18 years of age or older.

(b) Any individual who is receiving aid under Chapter 2 (commencing with Section 11200) of Part 3 on behalf of an eligible child, but who is either ineligible for aid or whose needs are not otherwise taken into account in determining the amount of aid to the family pursuant to Section 11450 due to the imposition of a sanction or penalty, shall not be eligible for aid or assistance under this part.

(c) This section shall not apply to health care benefits provided under this part.

*SEC. 10. Sections 1 to 4, inclusive, 6, 8, and 9 shall become operative 90 days after the effective date of this act.*

~~SECTION 1. Section 11320.15 of the Welfare and Institutions Code is amended to read:~~

1     ~~11320.15.—After a participant has received aid for a total of 60~~  
2     ~~months, pursuant to Section 11454, he or she shall be removed~~  
3     ~~from the assistance unit for the purposes of calculation of aid under~~  
4     ~~Section 11450, and shall no longer be required to participate in~~  
5     ~~welfare-to-work activities. Additional welfare-to-work services~~  
6     ~~may be provided to the recipient, at the option of the county. If~~  
7     ~~the county provides services to the recipient after the 60-month~~  
8     ~~limit has been reached, the recipient shall participate in community~~  
9     ~~service.~~

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